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Filing date: **03/28/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	79119845
Applicant	Tateho Kagaku Kogyo Kabushiki Kaisha; (doing business as; Tateho Chemical Industries Co., Ltd.)
Applied for Mark	PUREMAG
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Submission	Appeal Brief
Attachments	Appeal Brief (for filing) 3-27-2014.pdf(95185 bytes) Exhibit A (for filing) 3-27-2014.pdf(1683303 bytes)
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Signature	/Mark D. Alleman/
Date	03/28/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Ex parte Tateho Kagaku Kogyo
Kabushiki Kaisha; (doing business as;
Tateho Chemical Industries Co., Ltd.)

)
)
)
) Applicant: Tateho Kagaku Kogyo Kabushiki
) Kaisha; (doing business as; Tateho Chemical
) Industries Co., Ltd.)
) Serial No.: 79/119,845
) Filing Date: April 27, 2012
) Mark: PUREMAG (standard characters)
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)
)
)

APPLICANT'S APPEAL BRIEF

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Index of Cases

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12. *Pennwalt Corp.*, 173 U.S.P.Q. 317 (T.T.A.B. 1972)

Background

Applicant Tateho Kagaku Kogyo Kabushiki Kaisha (doing business as Tateho Chemical Industries Co., Ltd.; hereafter TCI) filed the subject application on April 27, 2012, for the standard character PUREMAG mark for use with Applicant's "Chemicals and chemical materials used in industry, science and agriculture, namely, magnesium hydroxide, magnesium oxide, magnesium carbonate, calcium hydroxide, calcium oxide, calcium carbonate, zirconium oxide, calcium sulfite, calcium peroxide, silicon carbide, silicon nitride; chemicals used in deposition, namely, chemical source material for the deposition of thin films; magnesium oxide ceramics in particle and compacted form used as target material for sputtering, electron-beam deposition, evacuated deposition; ceramic materials in particle and compacted form used as target material for sputtering, electron-beam deposition, evacuated deposition; ceramic materials for industrial use in powder, particle, and granular form; adhesives, not for stationery or household purposes; plant growth regulating preparations; fertilizing preparations" in International Class 001.

The primary objection raised throughout the prosecution of this application has been the Examining Attorney's asserted Section 2(e)(1) refusal based on a perceived descriptiveness of Applicant's mark when applied to Applicant's goods in International Class 001. This objection was raised in Office actions issued on November 27, 2012, and July 8, 2013, at which point the objection was made final. Applicant timely filed a Request for Reconsideration on December 26, 2013, in conjunction with a Notice of Appeal, which was filed on December 30, 2013, pursuant to 15 U.S.C. § 1070 and 37 C.F.R. § 2.141.

The Examining Attorney issued a non-final Office Action on November 27, 2012, in which the Examining Attorney refused registration of Applicant's mark based on descriptiveness under Section

2(e)(1), in addition to likelihood of confusion with the mark in U.S. Reg. No. 2504968 under Section 2(d). The Examining Attorney also inquired into whether the words “PURE” and “PUREMAG” have any significance in relation to Applicant’s goods or in Applicant’s industry, as well as inquiring into whether Applicant’s goods include “pure” magnesium-based materials. Applicant filed a timely response to the Office action on May 28, 2013, addressing each of the Examining Attorney’s objections.

The Examining Attorney issued a final Office action on July 8, 2013, withdrawing the Section 2(d) refusal, but making final the Section 2(e)(1) refusal based on mere descriptiveness. The Examining Attorney limited the Section 2(e)(1) refusal to only a portion of the identification of goods in International Class 001, as follows: “magnesium hydroxide, magnesium oxide, magnesium carbonate; magnesium oxide ceramics in particle and compacted form used as target material for sputtering, electron-beam deposition, evacuated deposition.” In response, Applicant timely filed a Request for Reconsideration on December 26, 2013, in addition to a Notice of Appeal on December 30, 2013. The Examining Attorney subsequently denied Applicant’s Request for Reconsideration on January 27, 2014. The notice of reinstitution of this Appeal was mailed on January 27, 2014.

Arguments

Applicant hereby incorporates by reference all prior Office action responses, exhibits, and cases Applicant previously submitted in the course of the prosecution of this matter. Applicant respectfully submits that the partial refusal under Section 2(e)(1) is improper and should be withdrawn.

Applicant maintains its assertion that Applicant’s mark is sufficiently distinctive so as to support registration. Applicant maintains that, for a mark to be merely descriptive, the mark must “immediately convey to one seeing or hearing it knowledge of the ingredients, qualities, or characteristics of the goods or services with which it is used.” In *re MBNA America Bank, N.A.*, 340 F. 3d 1328, 1332, 67 U.S.P.Q.2d 1778

(*Fed. Cir. 2003*) (quoting 2 McCarthy, Trademarks and Unfair Competition, §11:19 at p. 11-38 (4d ed. 2013)). In contrast to descriptive marks, suggestive marks “are defined as those which require the exercise of thought, imagination or perception to determine a mark’s meaning in relation to the goods.” *Economics Lab., Inc. v. Scott’s Liquid Gold, Inc.*, 224 USPQ 512, 515 (TTAB 1984).

Factors to be considered in determining whether a mark is suggestive or merely descriptive include the following:

(1) the level of imagination, thought or perception required to reach a conclusion as to the nature of the goods;...(2) the likelihood that competitors will need to use the term in connection with their goods;...(3) the extent to which other sellers have used the mark on similar merchandise – frequent use will indicate descriptiveness;...(4) the likelihood that the mark will conjure up other purely arbitrary connotations separate from what the mark conveys about the product;...[and] (5) probability consumers will regard the mark as a symbol of origin or as self-laudatory.

FM 103.1m Inc. v. Universal Board, 929 F. Supp. 187 (D.N.J. 1996).

Below is a full analysis of the relevant factors, in their approximate order of relevance to this inquiry, which will show that Applicant’s proposed mark, when applied to the refused goods, is sufficiently distinctive so as to support registration.

1. The level of imagination, thought or perception required to reach a conclusion as to the nature of the goods; and,

4. The likelihood that the mark will conjure up other purely arbitrary connotations separate from what the mark conveys about the product;

Turning now to the first and fourth factors, As noted in *J & J Snack Foods, Corp. v. Nestle USA, Inc.*, 149 F. Supp. 2d 136 (2001), “points (1) and (4) can be considered together because of the level of imagination required to ‘get’ the mark is naturally related to whatever arbitrary connotations an imaginative mark might create.”

The issue is whether the composite mark, and not its individual components, merely describes features or characteristics of the goods. In this case, the composite mark PUREMAG is not a known abbreviation for or term meaning magnesium hydroxide, magnesium oxide, magnesium carbonate, or magnesium oxide ceramics, which are the magnesium-containing compounds provided by Applicant. Indeed, the composite mark PUREMAG is a term coined by Applicant, with no immediately discernible meaning in the English language. Since Applicant's composite mark does not immediately convey the nature of Applicant's goods, upon encountering the mark in the marketplace, some degree of imagination is required on the part of the consumer in order to reach a conclusion about the nature of the goods. In this way, Applicant submits that its composite mark PUREMAG is sufficiently distinctive to support registration. See *Nife Incorporated v. Gould-National Batteries, Inc.*, 128 U.S.P.Q. 453, 1961 WL, 8056 (T.T.A.B. 1961) (wherein the Board found NICAD, for use with nickel cadmium, sufficiently arbitrary, deciding that the mark did not constitute a recognized abbreviation of "nickel cadmium").

Further, the Examining Attorney provides evidence asserted to demonstrate that the component MAG appearing in the applied-for mark is a known abbreviation for magnesium or magnesium-containing products. However, Applicant respectfully submits that this evidence only establishes that MAG is a known abbreviation for magnesium (as well as for a litany of other terms, including metal active gas, magnetometer, magazine, etc.), but not as an abbreviation for magnesium-containing compounds in general. Indeed, the component MAG is not a generally recognized term or abbreviation for magnesium or magnesium-containing compounds. Since the component MAG could be associated with a litany of other terms (metal active gas, magnetometer, magazine), it should not be interpreted as uniquely associated with magnesium. See *Commc'ns Satellite Corp. v. Comcet, Inc.*, 429 F2d 1245 (4th Cir. 1970) (wherein the plaintiff's mark COMSAT – used for communication satellite services – was not found descriptive based on the variety of associations related to the component "COM"). As such,

Applicant submits that, because MAG does not immediately invoke magnesium or magnesium-containing products, nor is MAG generally regarded as a recognized abbreviation for such goods, it cannot be said that Applicant's composite mark PUREMAG is descriptive of Applicant's goods. See *Sbs Prods. Inc. v. Sterling Plastic & Rubber Prods. Inc.*, 8 U.S.P.Q.2d (BNA) 1147, 1149 n.6 (T.T.A.B. 1988) ("SBS" is not a weak mark even though derived from the initials of "stuffing box sealant" or "sugar beet soap," absent a showing that these letters are recognized abbreviations for those products).

Applicant again refers to the evidence of record, which demonstrates that MAG is a known abbreviation for myriad terms, including (but not limited to) metal active gas, magnetometer, and magazine. Due to the numerous words for which MAG is an abbreviation, it is likely that the mark will conjure up other purely arbitrary connotations separate from what the mark might convey about Applicant's goods. See *Commc'ns Satellite Corp. v. Comcet, Inc.*, 429 F.2d 1245 (4th Cir. 1970); See 2 *McCarthy on Trademarks and Unfair Competition*, §12.37 (4th ed. 2013) ("If the abbreviation is not recognizable as the original generic term, then the abbreviation is like a fanciful mark and protectable."). In the immediate case, since the component MAG is not uniquely associated with magnesium or magnesium-containing compounds, it is likely that MAG would conjure up other purely arbitrary words distinct from what MAG might indicate about Applicant's goods. Thus, Applicant submits that its composite mark PUREMAG is sufficiently distinctive to support registration. Nevertheless, even if the component MAG is construed as descriptive of Applicant's specific goods, Applicant notes that telescoping descriptive terms – combining two descriptive words to create a standalone composite – can result in a non-descriptive composite mark sufficiently distinctive to support registration. See *Aluminum Fabricating Co. v. Season-All Window Corp.*, 259 F.2d 314, 119 U.S.P.Q. 61 (2d Cir. 1958) (the Board found that, although a mere reversal of the mark SEASON-ALL ("All Season") was admittedly descriptive, the mark was ultimately granted registration due to the "unusual order" of the wording which

added a quality of arbitrariness enough to justify registration); *Firestone Tire & Rubber Co. v. Goodyear Tire & Rubber Co.*, 186 U.S.P.Q. 557 (T.T.A.B. 1975) aff'd, 189 U.S.P.Q. 348 (C.C.P.A. 1976) (in considering the case of BIASTEEL for use with steel belted bias tires, the Board found that the mark was merely suggestive, and not descriptive, as a standalone mark); see also *Nife Incorporated v. Gould-National Batteries, Inc.*, 128 U.S.P.Q. 453, 1961 WL, 8056 (T.T.A.B. 1961).

Finally, Applicant also desires to point out that numerous other marks including the term PURE with other words and phrases are registered on the principal register, as shown in the list below. Records of each registration are attached as Exhibit A. PURE-LIGHT is registered for lights, PURE CANDLES for candles, PURE HEAT for heaters, and PUREROBOT for robots, among others. Applicant submits that its mark is at least as distinctive as the marks appearing in the list below. The presence of these marks on the principal register is strong evidence that use of PURE in combination with other words and phrases can result in a distinctive mark as a whole, deserving of registration.

Reg. No.	Mark	Goods
4277070	PURE CANDLES	Candles
4475803	PURE PICTURE	Providing a members-only website featuring technology which provides members with the ability to submit photographs
4453809	PURE HEAT	HEATERS FOR ABOVE-GROUND SPAS AND IN-GROUND SPAS IN THE NATURE OF HEATED POOLS
4434564	PUREROBOT	A robotic device used to inspect and acquire data for the assessment and non-destructive testing of structures, namely, pipelines
4432284	DRINKPURE	All natural fruit juices, bottled drinking water, spring water and mineral water, non-alcoholic beverages flavored by tea, sports drinks and powder mixes for use in the preparation of energy soft drinks
4432871	PURE LEAF	Tea; tea based beverages
4378804	PURE-LIGHT	Accent lights for indoor use;

		Aquarium lights; Color filters for use in lighting instruments; Electric holiday lights; etc.
4377803	PUREBIRD	Bird food
4192968	PUREFISH	Seafood

In view of the above, Applicant submits that, due to the level of imagination required to reach a conclusion as to the nature of Applicant's goods, in addition to the probability that the mark will conjure up other purely arbitrary connotations separate from what the mark conveys about the product, the first and fourth factors weigh in favor of registration.

2. The likelihood that competitors will need to use the term in connection with their goods; and,

Turning now to the second factor, also supporting the assertion that PUREMAG is not merely descriptive is that it is unlikely that competitors will need to use the mark PUREMAG in connection with their own goods. See, e.g., *FM 103.1, Inc. v. Universal Board*, 929 F. Supp. 187 (D.N.J. 1996). There are numerous ways of labeling magnesium hydroxide, magnesium oxide, magnesium carbonate, or magnesium oxide ceramics in particle and compacted form used as target material for sputtering, electron-beam deposition, and evacuated deposition. Applicant respectfully submits that, to the best of Applicant's knowledge, PUREMAG has no known significance specific to Applicant's industry or products or any well-known meaning in any other context. Applicant acknowledges the evidence of record defining "pure" as "free from extraneous matter" or "not mixed with anything else," and notes that to the best of Applicant's knowledge the term has no special technical meaning specific to Applicant's industry or products other than its ordinary definition. Within Applicant's industry, it is common practice to indicate the extent to which a substance is free of extraneous matter. As purity in this context is a matter of degree, the binary categories "pure" and "impure" are imprecise and uninformative. Rather, those in the trade use terms such as "high-purity" to express a high degree of freedom from extraneous

materials or tiered designators such as “3N”, “4N”, and “5N” to express purity grades. Examples are shown in Exhibit A of Applicant’s Request for Reconsideration, a printout of a website related to magnesium oxide pellets. As such, Applicant submits that it is unlikely that competitors will need to use the term “PUREMAG” in relation to their goods, nor does there appear to be frequent use of “PUREMAG” by third-parties within the relevant industry.

Further, the use of these chemical products is not generally consistent with the concept of something that is “free from extraneous matter” or “not mixed with anything else” – the definitions of the word “PURE” as provided by the Examining Attorney. Indeed, the process of using such chemical products is inherently not creating a condition “free from extraneous matter.” Instead, the purpose of such chemical products is to create an enhanced condition which is more useful in the industrial processes that characterize the industry in which Applicant operates. In this way, it is not evident that third parties within Applicant’s industry would need to use the word “PURE,” and certainly would not require use of Applicant’s coined term PUREMAG, in connection with their goods.

3. The extent to which other sellers have used the mark on similar merchandise – frequent use will indicate descriptiveness

Finally, regarding the third factor, the evidence of record demonstrates that there is infrequent use of “PUREMAG” by third-parties within the relevant industry and, as a result, it can be surmised that it is unlikely that competitors will need to use the term “PUREMAG” in relation to their goods. As such, PUREMAG is not a necessary term for competitors to promote or sell their chemical products. In fact, the Examining attorney failed to show any use of “PUREMAG” by competitors, much less use in regards to chemical products.

5. The probability consumers will regard the mark as a symbol of origin or as self-laudatory

Turning now to the fifth factor, Applicant respectfully submits that the mark PUREMAG will not be seen by consumers as merely self-laudatory, but will be seen as a source indicator, capable of distinguishing the origin of Applicant's goods. The fact that PURE and MAG are joined as one, coined word (PUREMAG) with no established dictionary or industry meaning, strongly suggests that consumers will not interpret the mark as merely describing the nature or quality of Applicants goods, but will view the mark as a source indicator. When consumers encounter a coined word labeling goods in a marketplace, for which they know no other definition, and which is merely suggestive or arbitrary of the goods it labels as in the instant case, then consumers are likely to interpret the word as a symbol of origin of the goods being labeled. Further, the lack of third party uses of similar marks mean that consumers will encounter PUREMAG in the marketplace *only* in association with Applicant's goods, further increasing the ability of the mark to serve as a source indicator. Accordingly, Applicants respectfully submit that this factor will weigh in favor of registration.

The application of the above factors demonstrates that the applied-for mark is not merely descriptive, but rather is at least suggestive of the applied-for goods. The Board has often distinguished between merely descriptive marks and marks that only go so far as to suggest desirable attributes or functions of the relevant goods, maintaining that marks of the latter category are not descriptive but suggestive, and therefore sufficiently distinctive to support registration. *In re The Noble Co.*, 225 U.S.P.Q. 749 (T.T.A.B. 1985) (NOBURST for liquid antifreeze and rust inhibitor for hot-water-heating systems found to suggest a desired result of using the product rather than immediately informing the purchasing public of a characteristic, feature, function, or attribute). The Board has applied similar reasoning in other cases. *See also In re George Weston Ltd.*, 228 U.S.P.Q. 57 (T.T.A.B. 1985) (SPEEDI

BAKE found suggestive of frozen dough); *In re Pennwalt Corp.*, 173 U.S.P.Q. 317 (T.T.A.B. 1972) (DRI-FOOT held suggestive of anti-perspirant deodorant for feet).

Applicant submits under the Board's own reasoning in this line of precedent, the applied-for mark PUREMAG is suggestive of Applicant's goods, and does not immediately convey the exact nature or characteristic of Applicant's goods. As described above, PUREMAG creates an impression which must be combined with some amount of thought in order to ascertain the nature and relation of Applicant's goods to the mark. PUREMAG does not evoke any immediate visualization of Applicant's goods; instead, due to the myriad associations inherent in the component MAG (metal active gas, magnetometer, magazine), a moment of pause and some imagination are required to picture what a PUREMAG product might be in regards to a chemical product. In no way does the mark merely describe a product that is utilized in its "pure" form. Rather, only after the exercise of thought does the consumer realize that the applied-for mark PUREMAG relates to or suggests some connection with the product.

Conclusion

Applicant's mark is at least suggestive of the recited goods due to the imagination required to discern the meaning of the mark in relation to the goods, and it is improbable that competitors will need to use the mark PUREMAG in connection with their own goods. Further, Applicant's applied-for mark is not a known abbreviation or term for its goods and does not have any special secondary significance specific to its industry, and thus competitors and other sellers in applicants industry do not need to, and in fact have not, used the applied-for mark. In view of these marketplace conditions and the nature of the mark itself, the probability that consumers will perceive it as a source identifier is high. As such, Applicant respectfully requests that the Section 2(e)(1) refusal be withdrawn.

Pursuant to 15 U.S.C. § 1070 and 37 CFR § 2.141, Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration. Applicant authorizes the Commissioner for Trademarks to charge the fee for filing this Notice of Appeal, or any other additional fees that may be due, to Deposit Account 503397.

DATED this 27th day of March, 2014.

Respectfully submitted,

Alleman Hall McCoy Russell & Tuttle LLP



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Attorney of Record
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EXHIBIT A



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PURE CANDLES

Word Mark PURE CANDLES

Goods and Services IC 004. US 001 006 015. G & S: Candles. FIRST USE: 20101018. FIRST USE IN COMMERCE: 20101018

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85512015

Filing Date January 9, 2012

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 10, 2012

Registration Number 4277070

Registration Date January 15, 2013

Owner (REGISTRANT) Teichman, Soren INDIVIDUAL UNITED STATES 10050 South West Bay Shore Drive Traverse City MICHIGAN 49684

(LAST LISTED OWNER) CANDLE FACTORY, LLC LIMITED LIABILITY COMPANY UNITED STATES 10050 SOUTH WEST BAY SHORE DRIVE TRAVERSE CITY MICHIGAN 49684

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Brian A. Hall

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CANDLES" APART FROM THE MARK AS SHOWN

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Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Record 1 out of 1[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*(Use the "Back" button of the Internet Browser to return to TESS)***PURE PICTURE****Word Mark** PURE PICTURE**Goods and Services**

IC 042. US 100 101. G & S: Providing a members-only website featuring technology which provides members with the ability to submit photographs; Providing a web site featuring technology that enables users to submit photographs and receive edited photographs; Providing a website featuring non- downloadable software that lets a user have access to photographs for the purpose of digital editing one or more photographs, allows a user to upload one or more edited photos for access by other users, and lets a user access, copy, or share one or more digitally enhanced photographs with a social media site; Providing a website featuring on-line non-downloadable software that enables users to grant and receive access to photographs; Providing a website featuring technology that enables users to share photographs with others for the purposes of having the photographs enhanced.; Providing a website that gives computer users the ability to access photographs submitted by others for the purposes of editing one or more photographs; Providing an interactive website featuring technology that allows users to upload photos to third-party social media sites. FIRST USE: 20120812. FIRST USE IN COMMERCE: 20120812

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85695969

Filing Date

August 6, 2012

Current Basis

1A

Original Filing Basis

1B

Published for

EXHIBIT A

Opposition March 12, 2013
Registration Number 4475803
Registration Date January 28, 2014
Owner (REGISTRANT) Pic Me First LIMITED LIABILITY COMPANY DELAWARE P.O. Box 5 Royersford PENNSYLVANIA 19468
Attorney of Record Charles L. Riddle
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PICTURE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
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PURE HEAT

Word Mark	PURE HEAT
Goods and Services	IC 011. US 013 021 023 031 034. G & S: HEATERS FOR ABOVE-GROUND SPAS AND IN-GROUND SPAS IN THE NATURE OF HEATED POOLS. FIRST USE: 20130304. FIRST USE IN COMMERCE: 20130304
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85866549
Filing Date	March 4, 2013
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 8, 2013
Registration Number	4453809
Registration Date	December 24, 2013
Owner	(REGISTRANT) Lloyds IP Holdings LLC LIMITED LIABILITY COMPANY CALIFORNIA 1462 East 9th Street Pomona CALIFORNIA 91766
Attorney of Record	Stephen J. Strauss
Prior Registrations	3160406
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HEAT" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL

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PUREROBOT

Word Mark PUREROBOT

Goods and Services IC 009. US 021 023 026 036 038. G & S: A robotic device used to inspect and acquire data for the assessment and non-destructive testing of structures, namely, pipelines

IC 042. US 100 101. G & S: Pipeline inspection services; consulting services in the area of assessment and non-destructive testing of pipelines

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85093767

Filing Date July 27, 2010

Current Basis 44E

Original Filing Basis 1B;44D

Published for Opposition September 3, 2013

Registration Number 4434564

Registration Date November 19, 2013

Owner (REGISTRANT) PURE TECHNOLOGIES LTD. CORPORATION CANADA 3rd Floor, 705-11 Avenue S.W. Calgary, Alberta CANADA T2R0E3

Attorney of Record LORRAINE PINSENT

Priority Date July 15, 2010

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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DRINKPURE

Word Mark	DRINKPURE
Goods and Services	IC 032. US 045 046 048. G & S: All natural fruit juices, bottled drinking water, spring water and mineral water, non-alcoholic beverages flavored by tea, sports drinks and powder mixes for use in the preparation of energy soft drinks. FIRST USE: 20110823. FIRST USE IN COMMERCE: 20110823
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85892345
Filing Date	April 1, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 27, 2013
Registration Number	4432284
Registration Date	November 12, 2013
Owner	(REGISTRANT) Pure Inventions, LLC LIMITED LIABILITY COMPANY NEW JERSEY 64B Grant Place Little Silver NEW JERSEY 07739
Attorney of Record	Noam J. Kritzer
Type of Mark	TRADEMARK

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Indicator LIVE

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PURE LEAF

Word Mark	PURE LEAF
Goods and Services	IC 030. US 046. G & S: Tea; tea based beverages. FIRST USE: 20120300. FIRST USE IN COMMERCE: 20120300
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85262615
Filing Date	March 9, 2011
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	May 21, 2013
Registration Number	4432871
Registration Date	November 12, 2013
Owner	(REGISTRANT) CONOPCO, INC. CORPORATION NEW YORK 700 SYLVAN AVENUE ENGLEWOOD CLIFFS NEW JERSEY 07632
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Lisa W. Rosaya
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEAF" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Pure-Light

Word Mark PURE-LIGHT**Goods and Services**

IC 011. US 013 021 023 031 034. G & S: Accent lights for indoor use; Aquarium lights; Color filters for use in lighting instruments; Electric holiday lights; Electric light bulbs; Electric lighting fixtures; Electric lighting fixtures, namely, power failure backup safety lighting; Electric lighting fixtures, namely, sconces; Electric lights for Christmas trees; Electric night lights; Electric torches for lighting; Electric track lighting units; Lamp whose light can be turned in all directions; Landscape lighting installations; Lanterns for lighting; LED (light emitting diode) lighting fixtures; LED (light emitting diodes) lighting fixtures for use in display, commercial, industrial, residential, and architectural accent lighting applications; LED and HID light fixtures; LED candles; LED landscape lights; LED light assemblies for street lights, signs, commercial lighting, automobiles, buildings, and other architectural uses; LED light bulbs; LED light engines; LED light machines; LED lighting fixtures for indoor and outdoor lighting applications; LED lighting systems, namely, LED modules, power supplies, and wiring; LED lights for lighting purposes incorporated into key chains, small toys or other similar personal items; LED lights for strings, flowers, branches and other ornamental decorations; LED luminaires; LED underwater lights; Light Emitting Diode (LED) plant grow light; Light post luminaires; Luminaires, using light emitting diodes (LEDs) as a light source, for street or roadway lighting; Miniature accent lights for attachment to the body and/or sports equipment to provide accent lighting to parts of the body and/or the sports equipment to which it is attached; Sconce lighting fixtures. FIRST USE: 20120514. FIRST USE IN COMMERCE: 20120727

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85689469

Filing Date

July 28, 2012

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Current Basis 1A
Original Filing Basis 1A
Published for Opposition May 21, 2013
Registration Number 4378804
Registration Date August 6, 2013
Owner (REGISTRANT) Monday Technologies LLC LIMITED LIABILITY COMPANY MICHIGAN 47448
Pontiac Trail Suite 263 Wixom MICHIGAN 48393
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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PUREBIRD

Word Mark	PUREBIRD
Goods and Services	IC 031. US 001 046. G & S: Bird food. FIRST USE: 20130215. FIRST USE IN COMMERCE: 20130215
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85979371
Filing Date	October 1, 2011
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	March 13, 2012
Registration Number	4377803
Registration Date	July 30, 2013
Owner	(REGISTRANT) PACIFIC BIRD AND SUPPLY CO., INC. CORPORATION CALIFORNIA 20301 NORTHRIDGE RD. CHATSWORTH CALIFORNIA 91311
Attorney of Record	Thomas I. Rozsa
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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PureFish

Word Mark	PUREFISH
Goods and Services	IC 029. US 046. G & S: Seafood. FIRST USE: 20060401. FIRST USE IN COMMERCE: 20060401
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85346013
Filing Date	June 14, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 5, 2012
Registration Number	4192968
Registration Date	August 21, 2012
Owner	(REGISTRANT) Eme Imports CORPORATION CALIFORNIA 9235 Chesapeake Dr., Suite K San Diego CALIFORNIA 92123
Attorney of Record	Donn K. Harms
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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